IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 14605 of 2004(L)

PETITIONER:

V.P. MARKOSE, VAVAKKATTU HOUSE,
POLLATHIA, ALAPPUZHA.

BY ADV. SRI.P.V.JAYACHANDRAN

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED
BY ITS ADDITIONAL SECRETARY TO GOVERNMENT
LABOUR AND REHABILITATION DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT EXECUTIVE OFFICER,
KERALA MOTOR TRANSPORT WORKERS WELFARE FUND
BOARD, ALAPPUZHA.

3. DEPUTY TAHSILDAR (R.R.),
TALUK OFFICE, AMBALAPPUZHA.

R2 BY ADV. SRI.K.HARILAL, SC,KMTWF BOARD
R1 AND R3 BY G.P. SMT. SMITHA SUKUMARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE OBJECTION DATED 28.7.2001

EXT.P2 TRUE COPY OF THE ANNUAL STATEMENT.

EXT.P3 TRUE COPY OF THE ANNUAL STATEMENT.

EXT.P4 TRUE COPY OF THE FINAL ASSESSMENT ORDER DATED 16.8.2001

EXT.P5 TRUE COPY OF THE MEMORANDUM OF APPEAL

EXT.P6 TRUE COPY OF THE R.R. NOTICE ISSUED BY THE 2ND RESPONDENT.

EXT.P7 TRUE COPY OF THE RECEIPT DATED 14.8.2002

EXT.P8 TRUE COPY OF THE G.O.(Rt) NO. 952/2003/LBR DATED 2.4.2003

RESPONDENTS' ESHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

W.P.C. NO. 14605 OF 2004

Dated this the 12th day of December, 2007

JUDGMENT

Since the prayer is only for instalment facility to clear the balance amount after setting-off the payment of Rs. 10,000/- stated to be paid by the petitioner under interim orders of this Court in this W.P. dated 11.5.2004, W.P. is disposed of granting three equal monthly instalments to the petitioner to clear the balance arrears, after giving credit to the payments made by the petitioner, first of which will be paid on or before 15th January, 2008 and the balance on or before 15th of two succeeding months. Revenue recovery proceedings will be kept in abeyance for payment as above and if petitioner commits default in payment of any instalment, the instalment facility granted herein will stand automatically vacated and respondents will be free to proceed for recovery of the entire amount due. If payments are made voluntarily as above, no collection charges will be recovered from the petitioner.

(C.N. RAMACHANDRAN NAIR)
Judge